

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>TERRENCE C. LECADRE,</b>	:	<b>No. 1:15-cv-1332</b>
<b>Plaintiff</b>	:	
<b>v.</b>	:	<b>(Judge Kane)</b>
	:	
<b>CITY OF HARRISBURG, <u>et al.</u>,</b>	:	<b>(Magistrate Judge Mehalchick)</b>
<b>Defendants</b>	:	

**ORDER**

**THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:**

On July 7, 2015, Plaintiff Terrence C. LeCadre filed a pro se complaint against the City of Harrisburg, “Pennsylvania Court of Common Pleas,” and Dauphin County Prison, alleging violations of the Fourth and Fourteenth Amendments to the United States Constitution. (Doc. No. 1.) In his complaint, Plaintiff alleges that he was falsely arrested on May 3, 2013 in Mechanicsburg, Pennsylvania on a July 13, 2005 charge of “indirect criminal contempt” of a “Protection from Abuse Order.” (Doc. Nos. 1; 1-1 at 6-7.) The 2005 charge appears to have resulted from a June 17, 2005 altercation between Plaintiff and a third-party at the home of Lorna Sotomayor, who had obtained a final protection order against Plaintiff on March 2, 2005 from the Dauphin County Court of Common Pleas. (Doc. Nos. 1; 1-1 at 1-2, 6-7.) Plaintiff contended that he was “unaware of any court order” and that the protection order was invalid. (Doc. No. 1 at 1-2) On September 28, 2015, pursuant to 28 U.S.C. § 1915A and 28 U.S.C. § 1915(e)(2), Magistrate Judge Mehalchick dismissed Plaintiff’s complaint without prejudice for failure to state a claim upon which relief can be granted. (Doc. Nos. 7, 8.)

On October 26, 2015, Plaintiff filed an amended complaint seeking damages against the City of Harrisburg and Dauphin County, Pennsylvania under 42 U.S.C. § 1983 for his wrongful arrest. (Doc. No. 9.) Plaintiff’s contends, inter alia, that he was wrongfully arrested in May 2013 and stressed that he “was not properly serviced notice to appear.” (Doc. No. 9.) On April

20, 2016, Magistrate Judge Mehalchick issued a Report and Recommendation, in which she recommends that this Court dismiss Plaintiff Terrence C. LeCadre's amended complaint for failure to state a claim and deny Plaintiff leave to file a third complaint. (Doc. No. 11.) The Court will adopt Magistrate Judge Mehalchick's recommendations. On April 22, 2016, Plaintiff filed one objection to the Report and Recommendation on the basis that "[t]he protection from abuse order was illegal and should never had been granted." (Doc. No. 12.) The Court finds that Magistrate Judge Mehalchick correctly and comprehensively addressed the substance of Plaintiff's objection in the Report and Recommendation. (Doc. No. 11 at 7-8, 11.) Accordingly, the Court will not write separately to address Plaintiff's objection.

**AND SO**, upon independent review of the record and applicable law, on this 23rd day of May 2016, **IT IS HEREBY ORDERED THAT:**

1. Magistrate Judge Mehalchick's Report and Recommendation (Doc. No. 11), is **ADOPTED**;
2. Plaintiff's amended complaint (Doc. No. 9) is **DISMISSED WITH PREJUDICE**; and
3. The Clerk of Court is directed to **CLOSE** this above-captioned case.

S/ Yvette Kane  
Yvette Kane, District Judge  
United States District Court  
Middle District of Pennsylvania